

United States District Court
For The Southern District OF New York

MEMO ENDORSED

Ahmed Ghailani,

Defendant-- Petitioner,

- V -

United States OF America,

Plaintiff -- Respondent.

Civil No#

Crim. No# 198-CR-01023-LAK-9

(Pro se) Motion Pursuant To Rule 60(b)(4)(6) & (d)(3)
In Further Conjunction With Recent Supreme Court
Decision In Davis (June 24, 2019)

The Petitioner respectfully moves this court to take
Judicial notice that he has a Jurisdictional defect issue &
A Supreme Court decision In Davis, 139 S.Ct. 2319 (2019), issue
because "Conspiracy" is no longer considered by all Circuits not
a Crime OF Violence, even in the Second Circuit, it apply to him.

Therefore, "Jurisdictional Defects" are never waived and can
be raised at any stage of the proceedings; And, the Davis issue
has an one ^{year} Statute of Limitation window that end on the 24th,
June 2020. Petitioner filed his Davis issue in a timely manner
using the Supreme Court Mailbox rule dated June 23, 2020.

The Petitioner further filed an "Accompanied Motion For A Sixty
(60) days Extension OF Time To File A Rule 15(a) or (c) motion to
"Clarify, Amend and or Supplement" both issues he raised herein.

Granted to the Petitioner to file
Date: June 23, 2020 ^{about that} ^{any such} ^{clarification, etc.} Respectfully Submitted,
/s/ A. Ghailani

SO ORDERED

LEWIS A. KAPLAN, USJD

where he filed or before
Feb. 2, 2021.

12/2/2020